



020904

13281 U.S. PTO

SHERIDAN NEIMARK  
ROGER L. BROWDY

ANNE M. KORNBAU  
NORMAN J. LATKER  
DIANA MICHELLE SOBO  
AOI NAWASHIRO

OF COUNSEL  
IVER P. COOPER  
JAY M. FINKELSTEIN

**BROWDY AND NEIMARK, P.L.L.C.**

ATTORNEYS AT LAW  
PATENT AND TRADEMARK CAUSES  
SUITE 300  
624 NINTH STREET, N.W.  
WASHINGTON, D. C. 20001-5303  
TELEPHONE (202)-628-5197

ALVIN BROWDY (1917-1998)  
PATENT AGENT  
ALLEN C. YUN, PH.D.  
TELECOPIER FACSIMILE  
(202) 737-3528  
(202) 393-1012  
E-MAIL  
mail@browdyneimark.com

February 9, 2004  
(MONDAY)

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202



Re: New Patent Application in U.S.  
Applicant(s): Detlev Erich GUTBERLET et al  
Title: APPLICATION DEVICE FOR APPLYING A LIQUID, GEL-LIKE OR PASTY...  
Atty's Docket: GUTBERLET4

Sir:

Attached herewith is the above-identified application for Letters Patent including:

- Application Data Sheet
- Specification (12 pages), claims (2 pages) and abstract (1 page)
- 4 Sheets Drawings (Figures 1-13)
  - FORMAL [ ] Informal
- The inventors of this application are:  
Detlev Erich GUTBERLET  
Lothar KASMACHER
- Information Disclosure Statement with SB/08A and 5 references
- Return Receipt Postcard (in duplicate)

The following statements are applicable:

- Applicant hereby requests that this application not be published pursuant to 35 U.S.C. §122(a). It is certified on behalf of applicant that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.
- Applicant claims small entity status. See 37 C.F.R. §1.27.
- The benefit under 35 USC §119 is claimed of the filing date of:  
Application No. 203 02 008.1 in Germany on February 8, 2003. A certified copy of said priority document will follow.
- The present application is a  Continuation  Division  Continuation-in-Part of prior Application No. \_\_\_\_\_, filed \_\_\_\_\_. Although this application is stated to be a CIP, applicant does not

concede that any matter is presented in this application which is not present in the parent.

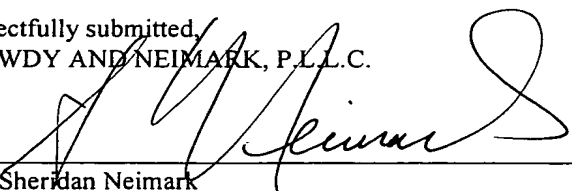
- Amend the specification by inserting before the first line the sentence:  
 --This is a continuation / division / continuation-in-part of copending parent application No. \_\_\_\_\_, filed \_\_\_\_\_--  
 --The present application claims the benefit of U.S. Provisional Appln. No. 60/\_\_\_\_\_, filed \_\_\_\_\_--
- The application is (or will be) assigned to: H & M Gutberlet GmbH, whose address is Max-Brod-Strasse 11, D-90471 Nurnberg, Germany
- Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application \_\_\_\_\_, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.
- Incorporation By Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- In accordance with 37 CFR 1.53(a) and (b), it is respectfully requested that a serial number and filing date be assigned to this application as of the date of receipt of the present papers. In accordance with the present procedures of the U.S. Patent and Trademark Office, an executed Declaration and the filing fee for the present application will be filed in due course.
- No authorization is given for charging the filing fee at the present time. However, at such time that the declaration is filed, but not before, you are authorized to charge whatever excess fees are necessary (including the filing fee and any extension of time fees then due) to Deposit Account 02-4035, if any such fees due are not fully covered by check filed at that time.**
- The attorneys of record for this application and the address will be those of **Customer No. 001444**; i.e., Sheridan Neimark, Reg. No. 20,520; Roger L. Browdy, Reg. No. 25,618; Anne M. Kornbau, Reg. No. 25,884; Norman J. Latker, Reg. 19,963; Iver P. Cooper, Reg. No. 28,005; Jay M. Finkelstein, Reg. No. 21,082; and \*Allen C. Yun, Reg. No. 37,971 (\*Patent Agent). Please send all correspondence with respect to this case to:

**BROWDY AND NEIMARK, P.L.L.C.**  
624 Ninth Street, N.W.  
Washington, D.C. 20001

Please direct all telephone calls to Browdy and Neimark at (202) 628-5197.

- The Commissioner is hereby authorized to credit any overpayment of fees accompanying this paper to Deposit Account No. 02-4035.

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.

By:   
Sheridan Neimark  
Registration No. 20,520

SN:gsk